



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

October 13, 2011

David Turner  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: EPA Region 10 Review of the Final Environmental Impact Statement for the Application for Hydropower License for the Boundary Hydroelectric Project (FERC Project No. 2144-038) and Application for Surrender of Hydropower License for the Sullivan Creek Project (FERC Project No. 2225-015). EPA Project Number: 11-015-DOE.

Dear Mr. Turner:

The U.S. Environmental Protection Agency (EPA) has reviewed final Environmental Impact Statement (FEIS) for the Application for Hydropower License for the Boundary Hydroelectric Project and the Application for Surrender of Hydropower License for the Sullivan Creek Project Pend Oreille County, Washington. The National Environmental Policy Act (NEPA) and Clean Air Act § 309 require EPA to review and comment in writing on the environmental impacts associated with all major federal actions.

In our May 20, 2011 comments on the draft EIS, we indicated support for the Staff Alternative. We are pleased to see the key components of the Staff Alternative carried forward in the final EIS. We also raised questions about the potential need for off-site disposal of sediment generated through the Mill Pond project. The FEIS now indicates that the Mill Pond dam removal would require excavation, grading, and disposal of about 40,000 cubic-yards of sediment on-site. We appreciate this clarification, and await with interest the final decommissioning plan. We also indicated that the placement of 1,500 cubic yards of screened gravels between RM 29.1 and the Box Canyon dam would constitute a discharge into waters of the United States and thereby require a permit under Section 404 of the Clean Water Act. We appreciate that the FEIS has been revised to reflect this requirement.

The EPA continues to support of the terms of the settlement agreements, and we applaud the effort on the parts of Seattle and the District to work with the settlement parties to craft an agreement that should provide significant benefits to resources within the Pend Oreille River and its tributaries, while retaining Seattle's operational flexibility.

We appreciate the opportunity to provide comments on this final EIS. Please feel free to contact me at (206) 553-1601 or by electronic mail at [reichgott.christine@epa.gov](mailto:reichgott.christine@epa.gov), or you may contact Teresa Kubo of my staff at, (503) 326-2859 or by electronic mail at [kubo.teresa@epa.gov](mailto:kubo.teresa@epa.gov).

Sincerely,

A handwritten signature in blue ink that reads "Christine B. Reichgott".

Christine B. Reichgott, Manager  
Environmental Review and Sediment Management Unit